

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
JOAN COMAS : CASE NO. 5-17-00882
Debtor : CHAPTER 13

TOYOTA MOTOR CREDIT :
CORPORATION :

Movant, :

vs. :
JOAN COMAS :

Respondents. :

**DEBTOR'S ANSWER TO MOTION FOR RELIEF FROM
AUTOMATIC STAY UNDER SECTION 362**

AND NOW COMES, Joan Comas, and files an Answer to Toyota Motor Credit Corporation's Motion for Relief From the Automatic Stay:

1. Joan Comas, (hereinafter the "Debtor") filed a Chapter 13 bankruptcy proceeding with the U.S. Bankruptcy Court for the Middle District of Pennsylvania.
2. Charles J. DeHart, III, Esq. was appointed the Chapter 12 Trustee.
3. Under the Chapter 13 Plan, Debtor was to make regular monthly payments to the Movant outside of the Plan.
4. Debtors Counsel is in the process of contacting the Debtor to ascertain if the payments have been made or if the Debtor is in the possession of the funds needed to cure the alleged default.
5. In the event there remains arrears, the Debtors wish to enter into a Stipulation to cure the remaining arrears over a six (6) month period.

6. Movant is not entitled to relief from the automatic stay as there is equity in the property encumbered by Movant's security interest, arrearage amount due has been paid or shall be paid through the Chapter 13 Plan, and, therefore, the Movant is adequately protected.

WHEREFORE, the Debtor respectfully requests that Movant's Motion for Relief from the Automatic Stay be denied.

Respectfully submitted,

Date: September 21, 2017

/s/Tullio DeLuca
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 21, 2017, he caused a true and correct copy of Debtors' Answer to Toyota Motor Credit Corporation's Motion for Relief from the Automatic Stay to be served via electronic filing to the CM/ECF participant at the following:

Charles J. DeHart, III, Esq. at dehartstaff@ramapo.com

[James C. Warmbrodt, Esq. at jwarmbrodt@kmlawgroup.com](mailto:jwarmbrodt@kmlawgroup.com)

Date: September 21, 2017

/s/Tullio DeLuca
Tullio DeLuca, Esq.